IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Confirmation No.: 9168

Naomi SEKINO, et. al. Date: October 15, 2009

Serial No.: 10/729,074 Group Art Unit: 3768

Filed: December 4, 2003 Examiner: Sanjay CATTUNGAL

ENDOSCOPIC LITHOTRIPSY APPARATUS AND LITHOTRIPSY METHOD OF TREATMENT OBJECT USING THE APPARATUS

VIA EFS-WEB Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR REFUND OF EXTRA CLAIM FEE

Sir:

For:

Applicant requests a refund in the amount of \$220.00 for an erroneously charged extra independent claim fee. On December 4, 2003 Applicant filed the above-identified application with the Patent Office. Applicant submitted a payment of \$1,144.00 (included in our Check No. 13473) for the application filing fee including the extra claims fees for one extra independent claim and sixteen extra claims total. See copy transmittal form and PTO Fee Record and Worksheet attached. However, on July 9, 2009, the Patent Office charged our Deposit Account in the amount of \$220.00 for one extra independent claim (see attached). There are still only four independent claims in the instant application: i.e., claims 1, 13, 34 and 36, all of which have already been paid for with the filing of the application on December 4, 2003. Therefore, the Patent Office has erroneously charged us a second time.

Pursuant to 37 C.F.R. §1.28, it is requested that a refund be granted in the amount of \$220.00 It is requested that the refund be deposited to our Deposit Account No. 15-0700.

THIS CORRESPONDENCE IS BEING SUBMITTED ELECTRONICALLY. THROUGH THE UNITED STATES PATENT AND TRADEMARK OFFICE EFS FILING SYSTEM ON OCTOBER 15, 2009

Respectfully submitted,

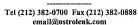
Registration No.: 30,576
OSTROLENK FABER LLP

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OFGS File No.: P/3541-52

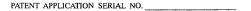
Inventor: Naomi Sekino, et al.

Title : ENDOSCOPIC LITHOTRIPSY APPARATUS AND LITHOTRIPSY METHOD OF TREATMENT OBJECT

USING THE APPARATUS

Enclosed herewith please find the following documents in the above-identified application for United States Letters Patent:

_√	Print EFS Data Sheet
62	Pages of Specification including Abstract and Claims
36	Numbered Claims Calculated as 36 Claims for Fee Purposes
$ \begin{array}{r} \sqrt{62} \\ 36 \\ 5 \end{array} $	Sheets of Drawing Containing Figures 1 to 9. (Formal)
	Declaration and Power of Attorney
√	Priority is Claimed under 35 U.S.C. §119:
	Convention Date December 4, 2002 for Japanese Appln. S.N. 2002-352702
$\frac{}{}$	Certified Priority Application
_√	Form 1449
<u></u>	Small Entity Status is claimed.
	Assignment
√	Return-Addressed Post Card
OFGS	Check No. 13473, which includes the fee of \$1,144.00, calculated as follows:
	Basic Filing Fee:
	Additional Filing Fees:
	Total Number of Claims in Excess of 20, times \$18:
	Number of Independent Claims in Excess of 3, times \$86:
	One or More Multiple Dependent Claims: Total \$290:
	Total Filing Fees or
	Total Filing Fee Reduced 50% for Small Entity:
	Assignment Recording Fee: \$40
	TOTAL Filing Fee and Assignment Recording Fee:



U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FEE RECORD SHEET

12/10/2003 WASFAW1 00000064 10729074

01 FC:1001 02 FC:1201 03 FC:1202 770.00 OP 86.00 OP 288.00 OP

FC:1202 288.00

PTO-1556 (5/87)

PATENT APPLICATION FEE DETERMINATION RECORD

Application or Docket Number

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CLAIMS AS FILED - PART I (Column 1) (Column 2)							SM. TYF	ALL E	NTITY	OR	OTHER SMALL	
TO	OTAL CLAIMS		36				F	ATE	FEE	1	RATE	FEE
FOR			NUMBER FILED		NUMBER EXTRA		ВА	BASIC FEE 385.00		OR	BASIC FEE	770.00
TC	OTAL CHARGE	ABLE CLAIMS	34 mir	nus 20=	.16		\[\frac{1}{2}	X\$ 9=		OR	X\$18=	288
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MULTIPLE DEPENDENT CLAIM PRESENT								145=		OR	+290=	
* If the difference in column 1 is less than zero, enter "0" in column 2							<u> </u>	OTAL		OR	TOTAL	1144
CLAIMS AS AMENDED - PART II (Column 1) (Column 2) (Column						(Column 3)	SI	MALL	ENTITY	OR	OTHER SMALL	
AMENDMENT A		CLAIMS REMAINING AFTER AMENDMENT		HIGH NUM PREVIO PAID	BER DUSLY	PRESENT EXTRA	F	RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
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		(Column 1)		(Colur	mn 2)	(Column 3)				•		
AMENDMENT B		CLAIMS REMAINING AFTER AMENDMENT		HIGH NUM PREVIO PAID	IEST BER OUSLY	PRESENT EXTRA	F	ATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
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							L	TOTAL		OR	TOTAL ADDIT, FEE	
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AMENDMENT C	`	CLAIMS REMAINING AFTER AMENDMENT		HIGH NUM PREVIO PAID	BER OUSLY	PRESENT EXTRA	F	ATE	ADDI- TIONAL FEE		RATE	ADDI- TIONA FEE
	Total	*	Minus	**		= .	X	\$9=		OR	X\$18=	
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۲	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						JΈ			104		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.										OR	+290=	
**	If the 'Highest Nu	mber Previously Pa mber Previously P	aid For" IN TH aid For" IN TH	IS SPACE	is less tha is less tha	an 20, enter "20 an 3, enter "3."	,,,,,,	TOTAL IT. FEE		OR	ADDIT. FEE	
	The "Highest Nue	shor Proviously Pa	id For (Total o	r Independ	lant) is the	highest number	er found i	n the ar	propriate bo	ox in co	olumn 1.	

Transaction Details

Type: Status: Sale Active Name/Number: Attorney Docket Number: 10729074 P/3541-52

Accounting Date:

07/09/2009

Sale Items 10729074

P/3541-52

Active

1 \$220.00

\$220.00 1201

Pearse-Number Afformery Docket Number Status Quantity Item, Total Progress' Amount Fee Code Description INDEPENDENT CLAIMS IN EXCESS OF THREE

Payment Details

Payment Type Total Payment Amount

Payment Date Payment Amount (this sale):

Deposit Account

\$220.00

07/09/2009

\$220.00